

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Stahelin Properties PROJECT LOCATION/WATERWAY: 28W787 Oak Lane, Warrenville, DuPage County, Illinois / Spring Brook Creek

FILE NUMBER: LRC-2007-47 PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Comment [g1]:

Comment [g2]:

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: NAPERVILLE.
☒ U. S. Geological Survey Hydrologic Atlas: NAPERVILLE, HA 154.
☒ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: NAPERVILLE, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
☐ Aerial Photographs (Name & Date): _____.
☐ Advanced Identification Wetland Maps: _____.
☐ Site Visit Conducted on: _____.
☒ Other information: October 23, 2006 Wetland Delineation Report by EnCAP, Inc.

Rationale for Basis (applies to any boxes checked above): The on-site wetland is adjacent and contiguous to Spring Brook Creek, which flows to the West Branch DuPage River, which is a tributary of the DuPage River. The DuPage River flows into the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☒ wetland boundary
☐ destruction of terrestrial vegetation
☐ shelving
☐ other

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated October 23, 2006, prepared by EnCAP, Inc.
☐ This office does not confirm your wetland boundary.

Recommended by: _____ Date: 27 FEB 07

Approved by: _____ Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

²Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers, Chicago District

FILE NUMBER: LRC-2007-38 PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Based on available information:

- Basis of Jurisdictional Determination:**

- ### Information Reviewed

- Rationale for Basis (applies to any boxes checked above):** Wetland 1 is a large wetland complex that is adjacent and contiguous with a ditch that flows to the South Branch Kishwaukee River; and wetland 2 is associated both with wetland 1, as well as having an exposed tile that flows to the River. The South Branch Kishwaukee River flows to the Rock River, which is a navigable in-fact waterway.

Ordinary High Water Mark indicated by:

- Basis for Declining Jurisdiction:**

- ### Confirmation of Wetland Boundaries

- Recommended by: CS Date: 26 FEB 07

Approved by: — J — Date: 25 Feb 07

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Williams Architects / Village of Carol Stream **PROJECT LOCATION/WATERWAY:** North of Rt. 64 and west of Kuhn Road in Carol Stream, DuPage County, Illinois / Klein Creek

FILE NUMBER: LRC-2007-29

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: WEST CHICAGO.
- ☒ U. S. Geological Survey Hydrologic Atlas: WEST CHICAGO, HA 202.
- ☒ USDA Natural Resources Conservation Service Soil Survey for DuPage County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: WEST CHICAGO, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☐ Aerial Photographs (Name & Date): _____.
- ☐ Advanced Identification Wetland Maps: _____.
- ☐ Site Visit Conducted on: _____.
- ☒ Other information: November 21, 2006 CBBEWL Wetland Delineation Report

Rationale for Basis (applies to any boxes checked above): The subject 1.4 acre wetland is adjacent and contiguous with Klein Creek which flows through the subject parcel. Klein Creek is a tributary to the West Branch DuPage River, which flows into the DuPage River, and then into the Des Plaines River which is navigable below the Hoffman Dam in Riverside, Illinois

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|---|--|
| <input checked="" type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated November 21, 2006, prepared by CBBEWL.
- ☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 22 FEB 07

Approved by: _____ **Date:** _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Inland Real Estate Development Corporation **PROJECT LOCATION/WATERWAY:** Proposed Stonefield Subdivision north of Empire Road and east of Swanberg Road in Campton Township, Kane County, Illinois

FILE NUMBER: LRC-2007-11 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: ELBURN.
- ☒ U. S. Geological Survey Hydrologic Atlas: ELBURN, HA 229.
- ☒ USDA Natural Resources Conservation Service Soil Survey for Kane County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: ELBURN, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☐ Aerial Photographs (Name & Date): _____.
- ☒ Advanced Identification Wetland Maps: KANE COUNTY
- ☐ Site Visit Conducted on: _____.
- ☒ Other information: January 5, 2007 Wetland Delineation Report by CBBEL.

Rationale for Basis (applies to any boxes checked above): All three wetlands are part of a larger off-site wetland complex that is adjacent and contiguous to a tributary of Ferson Creek. Ferson Creek flows into the Fox River, a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soils | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated January 5, 2007 , prepared by CBBEL.
- ☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 21 FEB 07

Approved by: _____ **Date:** 22 FEB 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Pasquinelli Development Group **PROJECT LOCATION/WATERWAY:** North of Plank Road and East of Barr Road in Elgin, Kane County, Illinois / Pingree Creek

FILE NUMBER: LRC-2007-3 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: PINEGROVE GROVE.
- ☒ U. S. Geological Survey Hydrologic Atlas: PINGREE GROVE, HA 232.
- ☒ USDA Natural Resources Conservation Service Soil Survey for Kane County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: PINGREE GROVE, 1992.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☐ Aerial Photographs (Name & Date): _____.
- ☒ Advanced Identification Wetland Maps: KANE COUNTY
- ☐ Site Visit Conducted on: _____.
- ☒ Other information: December 12, 2006 Hey and Associates, Inc. Wetland Delineation Report

Rationale for Basis (applies to any boxes checked above): Wetland 1 is part of a larger off-site wetland complex which is adjacent and contiguous to a tributary of Pingree Creek; and Wetland 2 is part of the creek channel and the channel itself. Pingree Creek flows into Tyler Creek, which is a tributary of the Fox River, a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soils | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated December 12, 2006 , prepared by Hey and Associates, Inc.
- ☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 20 Feb 07

Approved by: _____ **Date:** 21 Feb 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: RJN Group **PROJECT LOCATION/WATERWAY:** Industrial Redevelopment Site south of Aucutt Road and west of Route 31 in Montgomery, Kane County, Illinois

FILE NUMBER: LRC-2007-4 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: AURORA SOUTH.
☐ U. S. Geological Survey Hydrologic Atlas: _____
☒ USDA Natural Resources Conservation Service Soil Survey for Kane County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA SOUTH, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☐ Aerial Photographs (Name & Date): _____
☒ Advanced Identification Wetland Maps: KANE COUNTY
☐ Site Visit Conducted on: _____
☒ Other information: December 19, 2006 Wetland Delineation Report by CBBEL.

Rationale for Basis (applies to any boxes checked above): The subject on-site wetlands 1 and 2 are adjacent and contiguous with the two tributary waters 1 and 2, which flow to the Fox River, a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soils | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated December 19, 2006 , prepared by CBBEL.
☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 20 Feb 07

Approved by: _____ **Date:** 21 Feb 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Dail Cook

PROJECT LOCATION/WATERWAY: LRC-2006-1341

FILE NUMBER: LRC-2006-1341

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: RICHMOND.
- ☐ U. S. Geological Survey Hydrologic Atlas: RICHMOND, HA 303.
- ☐ USDA National Resources Conservation Service Soil Survey for McHenry County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND, 1992.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☒ Aerial Photographs (Name & Date): 2004, 2002, 2001
- ☒ Advanced Identification Wetland Maps: MCHENRY COUNTY..
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): A portion of the Nippersink Creek and associated wetland flows through the subject properties. The Nippersink Creek is tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
- ☒ This office does not confirm your wetland boundary

Recommended by: _____

Date: _____

Approved by: _____

Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: J.J. Calumet Venture, LLC **PROJECT LOCATION/WATERWAY:** South of Ring Road And West of Torrence Avenue In Calumet City, Cook County, Illinois (Section 24, T36N, R14E)

FILE NUMBER: 200400970 (LRC-2004-13070)

PROJECT REVIEW COMPLETED: ☐ Office ☒ Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☒ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
☐ U. S. Geological Survey Hydrologic Atlas: _____
☐ USDA Natural Resources Conservation Service Soil Survey for Cook County.
☐ U. S. Geological Survey 7.5 Minute Topographic Maps: _____
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☐ Aerials (Name & Date): _____
☐ Advanced Identification Wetland Maps: _____
☐ Site Visit Conducted on: _____
☒ Other information: Hydrology Data dated January 5, 2007 prepared by V3.

Rationale for Basis (applies to any boxes checked above): Area 1 and Area 2, as referenced in your delineation report, are under the jurisdiction of this office. Area 1 is considered a high-quality aquatic resource and is adjacent to the Little Calumet River. Area 2 is the Little Calumet River and is considered a navigable water. Area 3 is not considered wetland because sufficient hydrology was not demonstrable.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☒ clear, natural line impressed on the bank ☐ destruction of terrestrial vegetation
☐ the presence of litter and debris ☒ shelving
☐ changes in the character of soil ☐ other:
☒ wetland boundary

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____
☐ This office does not confirm your wetland boundary.

Recommended by: S- **Date:** 2/13/07

Approved by: _____ **Date:** _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Bradford McAtee **PROJECT LOCATION/WATERWAY:** West side of Highway 20, south of Marengo Road in Coral Township, McHenry County, Illinois / West Branch Union Creek

FILE NUMBER: LRC-2006-1373 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: MARENGO SOUTH.
- ☒ U. S. Geological Survey Hydrologic Atlas: MARENGO SOUTH, HA 463.
- ☒ USDA National Resources Conservation Service Soil Survey for McHenry County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: MARENGO SOUTH, 1968.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☐ Aerial Photographs (Name & Date): _____.
- ☐ Advanced Identification Wetland Maps: _____.
- ☐ Site Visit Conducted on: _____.
- ☒ Other information: November 28, 2006 Hey and Associates, Inc. Wetland Delineation Report

Rationale for Basis (applies to any boxes checked above): The subject 0.39 acre wetland is adjacent and contiguous with the West Branch Union Creek, which flows into the South Branch of the Kishwaukee River. The South Branch of the Kishwaukee River flows into the Kishwaukee River; and the Kishwaukee River is a tributary of the Rock River which is a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☐ clear, natural line impressed on the bank
- ☐ the presence of litter and debris
- ☐ changes in the character of soil
- ☒ wetland boundary
- ☐ destruction of terrestrial vegetation
- ☐ shelving
- ☐ other:

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated November 28, 2006, prepared by Hey and Associates, Inc.
- ☐ This office does not confirm your wetland boundary

Recommended by: _____ **Date:** 13 Feb 07

Approved by: _____ **Date:** 13 Feb 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Russ Anderson

PROJECT LOCATION/WATERWAY: Johnsburg

FILE NUMBER: LRC-2006-1340

PROJECT REVIEW COMPLETED: ☐ Office ☒ Field

Approved Jurisdictional Determination (JD)(For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: RICHMOND.
- ☒ U. S. Geological Survey Hydrologic Atlas: RICHMOND, HA 303.
- ☒ USDA National Resources Conservation Service Soil Survey for McHenry County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND, 1992.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☒ Aerial Photographs (Name & Date): 2004, 2002, 2001
- ☒ Advanced Identification Wetland Maps: MCHENRY COUNTY..
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated November 19, 2006 as prepared by DK Environmental Services, Inc., Wetland A is tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☒ clear, natural line impressed on the bank
- ☐ the presence of litter and debris
- ☐ changes in the character of soil
- ☒ wetland boundary
- ☐ destruction of terrestrial vegetation
- ☐ shelving
- ☐ other:

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated November 26, 2006, prepared by DK Environmental Services, Inc.
- ☐ This office does not confirm your wetland boundary

Recommended by: _____ S _____ Date: 2/13/07

Approved by: _____ J _____ Date: 2/13/07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Summerhill Custom Homes **PROJECT LOCATION/WATERWAY:** East of Sheer Road and North of Delaney Road in Frankfort, Will County, Illinois

FILE NUMBER: LRC-2006-1339 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: MANHATTAN.
- ☒ U. S. Geological Survey Hydrologic Atlas: MANHATTAN, 211.
- ☒ USDA Natural Resources Conservation Service Soil Survey for Will County.
- ☒ U. S. Geological Survey 7.5-Minute Topographic Maps: MANHATTAN, 1990.
- ☐ U. S. Geological Survey 7.5-Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15-Minute Historic Quadrangles: _____.
- ☐ Aerials (Name & Date): _____.
- ☐ Advanced Identification Wetland Maps: _____.
- ☐ Site Visit Conducted on: _____.
- ☒ Other information: July 14, 2006 Wetland Delineation Report by LRMG.

Rationale for Basis (applies to any boxes checked above): Subject wetland is contiguous and adjacent to a tributary of Jackson Creek; Jackson Creek flows into the Des Plaines River, which is navigable below the Hoffman Dam in Riverside, Illinois.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated July 14, 2006, prepared by LRMG.
- ☐ This office does not confirm your wetland boundary

Recommended by: _____ **Date:** 12 FEB 07

Approved by: _____ **Date:** 13 FEB 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers, Chicago District

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

☐ *There are both waters of the United States and non-jurisdictional waters on the project site.*

☐ Section 10 waterway.

☐ Other information:

☐ other

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Randy Sara

PROJECT LOCATION/WATERWAY: Bangs Lake/Wauconda

FILE NUMBER: LRC-2006-1353

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
- ☐ U. S. Geological Survey Hydrologic Atlas: _____
- ☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: WAUCONDA, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
- ☒ Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005
- ☒ Advanced Identification Wetland Maps: LAKE COUNTY.
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): Bangs Lake is tributary to the Fox River, a navigable water of the United States, and is therefore also a water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☒ clear, natural line impressed on the bank
- ☒ the presence of litter and debris
- ☒ changes in the character of soil
- ☐ wetland boundary
- ☒ destruction of terrestrial vegetation
- ☐ shelving
- ☐ other

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
- ☒ This office does not confirm your wetland boundary

Recommended by: - S - Date: 2/12/07

Approved by: _____ Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Paul Ptak

PROJECT LOCATION/WATERWAY: Lake Marie/Antioch

FILE NUMBER: LRC-2006-1325

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
- ☐ U. S. Geological Survey Hydrologic Atlas: _____
- ☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: GRAYSLAKE, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
- ☒ Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005
- ☒ Advanced Identification Wetland Maps: LAKE COUNTY.
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): Gages Lake is tributary to the Des Plaines River, a navigable water of the United States below Hoffman Dam, and is therefore also a water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☒ clear, natural line impressed on the bank
- ☒ the presence of litter and debris
- ☒ changes in the character of soil
- ☐ wetland boundary
- ☒ destruction of terrestrial vegetation
- ☐ shelving
- ☐ other

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
- ☒ This office does not confirm your wetland boundary

Recommended by: -5 Date: 2/12/07

Approved by: _____ Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Shady Hills Homeowners Association **PROJECT LOCATION/WATERWAY:** Lake Marie/Antioch

FILE NUMBER: LRC-2006-1358

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☒ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____.
- ☐ U. S. Geological Survey Hydrologic Atlas: _____.
- ☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: BARRINGTON, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☒ Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005
- ☒ Advanced Identification Wetland Maps: LAKE COUNTY.
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): The Fox River is a navigable water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|---|---|
| <input checked="" type="checkbox"/> clear, natural line impressed on the bank | <input checked="" type="checkbox"/> destruction of terrestrial vegetation |
| <input checked="" type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input checked="" type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other |
| <input type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
- ☒ This office does not confirm your wetland boundary

Recommended by: - 5 **Date:** 2/12/02

Approved by: _____ **Date:** _____

¹ Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Bill Smith

PROJECT LOCATION/WATERWAY: Richmond

FILE NUMBER: LRC-2006-1279

PROJECT REVIEW COMPLETED: ☐ Office ☒ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: RICHMOND.
- ☒ U. S. Geological Survey Hydrologic Atlas: RICHMOND, HA 303.
- ☒ USDA National Resources Conservation Service Soil Survey for McHenry County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: RICHMOND, 1992.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☒ Aerial Photographs (Name & Date): 2005, 2004, 2001
- ☒ Advanced Identification Wetland Maps: MCHENRY COUNTY..
- ☒ Site Visit Conducted on: 3/28/06
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetland 1, as identified in the Wetland Delineation Report prepared by Hey and Associates, Inc. dated April 12, 2006 and the Wetland Delineation and Assessment Report dated October 5, 2004 as prepared by V3 Consultants includes the Nippersink Creek and adjacent fen wetlands. The Nippersink Creek is tributary to the Fox River, a navigable waterway under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated 4/12/06 and 10/5/04, prepared by Hey and Associates, Inc and V3 Consultants.
- ☐ This office does not confirm your wetland boundary

Recommended by: _____

Date: _____

Approved by: _____

Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Fidelity West of Eastgate, Inc.

PROJECT LOCATION/WATERWAY: Des Plaines River/Long Grove

FILE NUMBER: LRC-2006-23475

PROJECT REVIEW COMPLETED: ☒ Office ☒ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
☐ U. S. Geological Survey Hydrologic Atlas: _____
☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: WHEELING, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☒ Aerials (Name & Date): Lake County 1939, 2000, 1004, & 2005; PhotoMapper 2001, 2002 & 2005
☒ Advanced Identification Wetland Maps: LAKE COUNTY.
☒ Site Visit Conducted on: October 19, 2006
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Wetland 1 is tributary to the Des Plaines River via Aptakisic Creek. The Des Plaines River is a navigable water of the United States below Hoffman Dam and therefore all of its tributaries, including the wetlands and stream in question, are also waters of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☒ wetland boundary
☐ destruction of terrestrial vegetation
☐ shelving
☐ other

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated November 22, 2006, prepared by CHey and Associates, Inc.
☐ This office does not confirm your wetland boundary

Recommended by: -S- Date: 2/12/07

Approved by: _____ Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Merryman Excavation

PROJECT LOCATION/WATERWAY: 80 Acre South Street Parcel just east of Franklinville Road in Woodstock, McHenry County, Illinois

FILE NUMBER: LRC-2006-1331

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☒ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: MARENGO NORTH.
☒ U. S. Geological Survey Hydrologic Atlas: MARENGO NORTH, HA 495.
☒ USDA National Resources Conservation Service Soil Survey for McHenry County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: _____
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☐ Aerial Photographs (Name & Date): _____
☒ Advanced Identification Wetland Maps: MCHENRY COUNTY..
☐ Site Visit Conducted on:
☒ Other information: October 30, 2006 Wetland Delineation Report by Hey & Associates, Inc.

Rationale for Basis (applies to any boxes checked above): The subject wetland is adjacent and contiguous to Franklinville Creek, which flows to the Kishwaukee River. The Kishwaukee River flows into the Rock River, which is a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other: |
| <input checked="" type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated October 30, 2006, prepared by Hey & Associates, Inc.
☐ This office does not confirm your wetland boundary

Recommended by: _____

Date: _____

Approved by: _____

Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

²Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Residential Land Fund

PROJECT LOCATION/WATERWAY: Harvard

FILE NUMBER: LRC-2006-1046

PROJECT REVIEW COMPLETED: ☐ Office ☒ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2).

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: CAPRON.
☒ U. S. Geological Survey Hydrologic Atlas: CAPRON, HA 498.
☒ USDA National Resources Conservation Service Soil Survey for McHenry County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: CAPRON, 1970.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
☒ Aerial Photographs (Name & Date): 2005, 2004
☒ Advanced Identification Wetland Maps: MCHENRY COUNTY..
☒ Site Visit Conducted on: 9/21/06, 10/20/06
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Referencing the Wetland Delineation Report dated September 27, 2006 as prepared by Tetra Tech Inc., Wetland I, otherwise known as Mokeler Creek, flows west to the Piscasaw Creek, which is tributary to the Kishwaukee River. The Kishwaukee River drains to the Rock River, a navigable waterway under Department of the Army jurisdiction.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☐ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soil
☒ wetland boundary
☐ destruction of terrestrial vegetation
☒ shelving
☐ other:

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated September 27, 2006, prepared by Tetra Tech Inc.
☐ This office does not confirm your wetland boundary

Recommended by: _____ Date: 2/1/07

Approved by: _____ Date: 2/5/07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

²Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Randy Byers**PROJECT LOCATION/WATERWAY:** Lake Marie/Antioch**FILE NUMBER:** LRC-2006-1119**PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☒ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
☐ U. S. Geological Survey Hydrologic Atlas: _____
☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: WAUCONDA, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☒ Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005
☒ Advanced Identification Wetland Maps: LAKE COUNTY.
☐ Site Visit Conducted on:
☐ Other information:

Rationale for Basis (applies to any boxes checked above): Lake Marie is part of the Fox River, a navigable water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|---|---|
| <input checked="" type="checkbox"/> clear, natural line impressed on the bank | <input checked="" type="checkbox"/> destruction of terrestrial vegetation |
| <input checked="" type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input checked="" type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other |
| <input type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____
☒ This office does not confirm your wetland boundary

Recommended by: -5 **Date:** 2/6/07**Approved by:** _____ **Date:** _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Michael Sullivan PROJECT LOCATION/WATERWAY: 37W694 Bolcum Road, St. Charles, Kane County, Illinois / Ferson Creek

FILE NUMBER: LRC-2006-1380 PROJECT REVIEW COMPLETED: ☒ Office ☒ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☐ There are non-jurisdictional waters on the project site.
☒ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☒ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☐ Other:
☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: GENEVA.
☒ U. S. Geological Survey Hydrologic Atlas: GENEVA, HA 142.
☒ USDA Natural Resources Conservation Service Soil Survey for Kane County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: GENEVA, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
☐ Aerial Photographs (Name & Date):
☒ Advanced Identification Wetland Maps: KANE COUNTY
☒ Site Visit Conducted on: 09 January 2007
☒ Other information: December 11, 2006 Wetland Delineation Report by Phoenix Environmental, Inc.

Rationale for Basis (applies to any boxes checked above): Ferson Creek is a tributary of the Fox River, a navigable in-fact waterway.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☒ clear, natural line impressed on the bank
☐ the presence of litter and debris
☐ changes in the character of soils
☐ wetland boundary
☐ destruction of terrestrial vegetation
☐ shelving
☐ other:

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☒ This office concurs with your wetland delineation report dated 11 December 2006 , prepared by Phoenix Environmental, Inc.
☐ This office does not confirm your wetland boundary.

Recommended by: _____ Date: 05 Feb 07

Approved by: _____ Date: 05 Feb 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

²Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT
U.S. Army Corps of Engineers, Chicago District

APPLICANT: Ray Davis

PROJECT LOCATION/WATERWAY: Fox Lake/Fox Lake

FILE NUMBER: LRC-2006-1186

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
- ☐ There are non-jurisdictional waters on the project site.
- ☒ There are waters of the United States on the project site.
- ☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☒ Section 10 waterway.

Information Reviewed

- ☐ U. S. Fish and Wildlife Service National Wetland Inventory: _____
- ☐ U. S. Geological Survey Hydrologic Atlas: _____
- ☒ USDA Natural Resources Conservation Service Soil Survey for Lake County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: WAUCONDA, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____
- ☒ Aerials (Name & Date): Lake County 1939, 2000, 2004, & 2005; PhotoMapper 2001, 2002 & 2005
- ☒ Advanced Identification Wetland Maps: LAKE COUNTY.
- ☐ Site Visit Conducted on:
- ☐ Other information:

Rationale for Basis (applies to any boxes checked above): Long Lake is tributary to the Fox River, a navigable water of the United States, and is therefore also a water of the United States under the jurisdiction of the Department of the Army.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|---|---|
| <input checked="" type="checkbox"/> clear, natural line impressed on the bank | <input checked="" type="checkbox"/> destruction of terrestrial vegetation |
| <input checked="" type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input checked="" type="checkbox"/> changes in the character of soil | <input type="checkbox"/> other |
| <input type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____
- ☒ This office does not confirm your wetland boundary

Recommended by: _____

Date: 2/6/07

Approved by: _____

Date: _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

²Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Gus Petrakopoulos **PROJECT LOCATION/WATERWAY:** 628 Montgomery Road, Montgomery, Kane County, Illinois

FILE NUMBER: LRC-2006-1385 **PROJECT REVIEW COMPLETED:** ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☒ *There are no waters on the project site.*
- ☐ *There are non-jurisdictional waters on the project site.*
- ☐ *There are waters of the United States on the project site.*
- ☐ *There are both waters of the United States and non-jurisdictional waters on the project site.*

Basis of Jurisdictional Determination:

- ☒ There are no jurisdictional waters of the United States present on the project site.
- ☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
- ☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
- ☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
- ☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
- ☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
- ☐ Other:
- ☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: AURORA SOUTH.
- ☐ U. S. Geological Survey Hydrologic Atlas: _____.
- ☒ USDA Natural Resources Conservation Service Soil Survey for Kane County.
- ☒ U. S. Geological Survey 7.5 Minute Topographic Maps: AURORA SOUTH, 1993.
- ☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
- ☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
- ☒ Aerial Photographs (Name & Date): Fall 2002, Summer 2004
- ☒ Advanced Identification Wetland Maps: KANE COUNTY
- ☐ Site Visit Conducted on:
- ☒ Other information: August 23, 2006 Property survey showing all gravel and concrete.

Rationale for Basis (applies to any boxes checked above): There are no waters present on the site.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- | | |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> the presence of litter and debris | <input type="checkbox"/> shelving |
| <input type="checkbox"/> changes in the character of soils | <input type="checkbox"/> other: |
| <input type="checkbox"/> wetland boundary | |

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
 - ☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
 - ☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
- ☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
- ☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 14 FEB 07

Approved by: _____ **Date:** 15 FEB 07

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

APPROVED JURISDICTIONAL DETERMINATION DECISION DOCUMENT

U.S. Army Corps of Engineers, Chicago District

APPLICANT: Carmen Czubik **PROJECT LOCATION/WATERWAY:** Lot 46, Fox Hills Unit 1-A or 13835 Dixon-Way Drive in unincorporated Lemont, Cook County, Illinois

FILE NUMBER: LRC-2007-34

PROJECT REVIEW COMPLETED: ☒ Office ☐ Field

Approved Jurisdictional Determination (JD) (For Sites regulated under 33 CFR 320-330). An approved JD is an appealable action. (33 CFR 331.2)

Based on available information:

- ☐ There are no waters on the project site.
☒ There are non-jurisdictional waters on the project site.
☐ There are waters of the United States on the project site.
☐ There are both waters of the United States and non-jurisdictional waters on the project site.

Basis of Jurisdictional Determination:

- ☐ There are no jurisdictional waters of the United States present on the project site.
☐ The presence of waters which are currently used, or were used in the past, or may be susceptible for use to transport interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide (i.e., navigable waters of the U.S.) (33 CFR 328.3(a)(1))
☐ The presence of interstate waters (including interstate wetlands¹). (33 CFR 328.3 (a)(2))
☐ The presence of a tributary to an interstate water or other water of the US. (33 CFR 328.3 (a)(5))
☐ The presence of wetlands adjacent² (bordering, contiguous, or neighboring) to interstate or other waters of the US, except for those wetlands adjacent to other wetlands. (33 CFR 328.3 (a)(7))
☐ The presence of an isolated water (e.g., intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds).
☒ Other: Man-made detention basin.
☐ Section 10 waterway.

Information Reviewed

- ☒ U. S. Fish and Wildlife Service National Wetland Inventory: SAG BRIDGE.
☒ U. S. Geological Survey Hydrologic Atlas: SAG BRIDGE, 149.
☒ USDA Natural Resources Conservation Service Soil Survey for Cook County.
☒ U. S. Geological Survey 7.5 Minute Topographic Maps: SAG BRIDGE, 1993.
☐ U. S. Geological Survey 7.5 Minute Historic Quadrangles: _____.
☐ U. S. Geological Survey 15 Minute Historic Quadrangles: _____.
☒ Aerials (Name & Date): 1980, 1993, 1997, 2002 and 2004.
☐ Advanced Identification Wetland Maps: _____.
☐ Site Visit Conducted on: _____
☒ Other information: Information package submitted as part of November 28, 2006 letter.

Rationale for Basis (applies to any boxes checked above): The subject detention basin was constructed prior to 1984 as part of the subdivision, and therefore is exempt. However, it does have a surface water outlet to a creek.

Lateral Extent of Jurisdiction (33 CFR 328 and 329):

Ordinary High Water Mark indicated by:

- ☐ clear, natural line impressed on the bank ☐ destruction of terrestrial vegetation
☐ the presence of litter and debris ☐ shelving
☐ changes in the character of soil ☐ other:
☐ wetland boundary

Basis for Declining Jurisdiction:

- ☐ Unable to confirm the presence of waters listed in 33 CFR 328.3(a)(1), 328.3(a)(2), or 328.3(a)(4) through 328.3(a)(7)
☐ Area under consideration is likely to have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Area under consideration is not likely have been jurisdictional under pre-SWANCC Migratory Bird Rule criteria
☐ Headquarters declined to approve jurisdiction on the basis of 328.3(a)(3) [attach copy of HQ rationale]

Confirmation of Wetland Boundaries

- ☐ This office concurs with your wetland delineation report dated _____, prepared by _____.
☐ This office does not confirm your wetland boundary.

Recommended by: _____ **Date:** 22 FEB 07

Approved by: _____ **Date:** _____

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology). Processes for determining wetlands on agricultural lands may vary from methods described in the Corps Wetland Delineation Manual (1987).

² Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.